

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW MEXICO

VOLT ASSET HOLDINGS TRUST XVI,

Plaintiff,

vs.

Civ. No. 13-508 KG/KK

MARIE A. MARTINEZ A/K/A MARIE  
MARTINEZ, and FELIX J. MARTINEZ  
A/K/A FELIX JOE MARTINEZ,

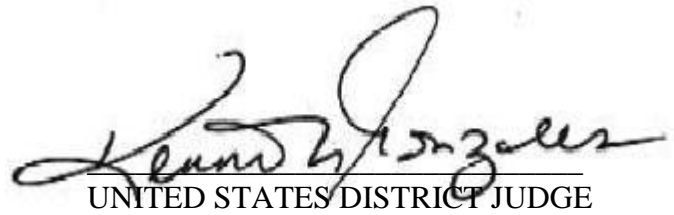
Defendants.

ORDER

This matter comes before the Court upon Defendants' "Verified Emergency Petition for Temporary Restraining Order and/or Preliminary Injunction Pending Defendants [sic] Motion for Relief from Judgment" (Motion for TRO), filed February 20, 2018, at 1:36 a.m. (Doc. 163). Plaintiff filed a response on March 2, 2018. (Doc. 165). Having reviewed the Motion for TRO and the response, the Court denies the Motion for TRO as moot.

On February 5, 2018, the Special Master filed a Notice of Sale. (Doc. 162). The Notice of Sale, which was emailed to Defendants, stated that the sale of the property at issue in this foreclosure action would occur at 2:30 p.m. on February 20, 2018, in Santa Fe, New Mexico, at the entrance of the federal courthouse. *Id.* at 1. Despite having a 15-day notice of the upcoming sale of the property, Defendants filed their Motion for TRO at 1:36 a.m. on the morning of the sale. The sale occurred before the Court could address the Motion for TRO. Because the sale has already occurred, this Motion for TRO is now moot.

IT IS, THEREFORE, ORDERED that the “Verified Emergency Petition for Temporary Restraining Order and/or Preliminary Injunction Pending Defendants [sic] Motion for Relief from Judgment” (Doc. 163) is denied as moot.



UNITED STATES DISTRICT JUDGE